

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LEIGHTON D. LINDSEY,

Plaintiff,

v.

JOSEPH BEAHM, PAMELA ZANK,
JESSE JONES, JANN JOHNSTON,
ANTHONY MELI, WILLIAM POLLARD,
ED WALL, DAN STRAHOTA
and DANIEL BRAEMER,

Defendants.

ORDER

16-cv-61-bbc

Pro se prisoner Leighton Lindsey is proceeding on claims that two correctional officers (Joseph Beahm and Jesse Jones) used excessive force against him and that other prison officials knew that Beahm posed a risk to plaintiff, but they failed to take reasonable steps to prevent plaintiff from being harmed. Now plaintiff has filed what he calls a “motion for injunction,” in which he alleges that prison officials are interfering with his mail. Dkt. #20. In particular, he says that he believes that officials are blocking orders from this court. In support of his argument, plaintiff says that he has not yet received a response from the court to his amended complaint and he has not received a notice from the court regarding the date for his preliminary pretrial conference.

The reason plaintiff had not received those communications from the court is that the

court had not sent them. The court did not receive plaintiff's amended complaint until March 24, 2016. Dkt. #13. The court received plaintiff's "motion for injunction" two weeks later on April 6, 2016. Dkt. #20-1. The court issued the order screening plaintiff's amended complaint on April 5, 2016, dkt. #19, so it is likely that the order and plaintiff's motion crossed in the mail. The more general point is that plaintiff should not expect immediate responses to his court filings. In many instances, it will be several weeks before the court's schedule allows a response. In the future, plaintiff should not assume that prison officials are interfering with his mail simply because he has not received a response as soon as he thinks he should.

With respect to the preliminary pretrial conference, the court does not schedule one until all defendants have answered the complaint. If the Department of Justices accepts service on behalf of the new defendants that plaintiff named in his amended complaint, those defendants will have 40 days from April 5, 2016 (the day the screening order was issued) to file an answer.

ORDER

IT IS ORDERED that plaintiff Leighton Lindsey's "motion for an injunction," dkt. #20, is DENIED.

Entered this 21st day of April, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge